

Notice of Allowability

Application No.

10/609,394

Examiner

Tramar Harper

Applicant(s)

VALERO MORENO, JAVLER

Art Unit

3714

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 10/10/07.
2. ☒ The allowed claim(s) is/are 1-19.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date 10/10/07
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Daniel G. Vivarelli on 1/17/07.

Amend the Abstract as Follows:

A system and method which comprises a plurality of amusement machines (i.e., video games, flipper games, pinball machines, prize dispensing games, arcade games, electronic darts, kiddie rides, pool tables, golf games, basketball games, billiards, redemption games, soccer tables, shuffle board alleys and bowling alleys, touch-screen countertop games and the like) equipped with play components and associated apparatus to capture multimedia information based on the performance of the players at the machines, apparatus to transmit the multimedia information captured from the machines to a network, and a processor based machine (e.g., a central processing unit (CPU)) for managing and storing this multimedia information.

In the Claims:

Claim 1:

- line 9: delete "enable refereeing", add -- determine whether at least one of the players complies with at least one condition of play --
- line 10: delete "of the conduct of"
- line 11: delete "play or performance of players using the one or more dart playing machines,"
- line 12: before "to the one", add -- including the determination as to whether at least one of the players complies with at least one condition of play --

Claim 10:

- line 17: delete "according to the", add "according to a"

Claims 20-21 are canceled.

Reasons for Allowance

The following is an examiner's statement of reasons for allowance:

Patentability seen in, although not limited to Independent Claims 1 & 10: In regards to Claim 1, a remote refereeing system is disclosed comprising one or more dart machines. Each dart machine comprises play components and means to capture multimedia information relating to conduct of play and performance of players using the one or more dart machines, at least one camera to capture the conduct of play (manner of acting respective of game play), and a means for transmitting (via network connection) the multimedia and captured conduct of play information. The remote refereeing system further comprising at least one refereeing center to receive

multimedia and captured conduct of play information, determine whether at least one of the players complies with at least one condition of play e.g. act in accordance with the game's rules/conditions of play, instantly or with a time delay, and transmit data (via network connection) including the determination with respect to whether at least one of the players complies with at least one condition of play. The closest prior art of record does not teach or fairly suggest the claimed system in combination. Cleaver (GB 2,185,896 A) discloses an electronic dart board device where there are sensors for detecting darts that strike the scoring zones and a sensor to deactivate the system when detecting a player inserting darts directly into the board. However, Cleaver excludes at least one camera to capture the conduct of play, a means for transmitting the multimedia and captured conduct of play information to a refereeing center; and a refereeing center for receiving the multimedia and captured conduct of play information, determine if a player complies with at least one condition of play, and transmit data including the determination to one or more dart machines. Salva (US 2003/0134700) discloses a dart device with a camera used to capture scoring images of the darts as they hit the board. These images are analyzed via an image treating unit and are sent to a data receiving/transmitting unit for displaying the results, particularly scoring results on a display. Furthermore, the results are transmitted via a network to remote centers for comparison to other remote dart systems for competition purposes. However, Salva excludes at least one camera to capture conduct of play on a dart machine and transmit the data to a refereeing center. Also, Salva excludes a refereeing center for receiving the data and determining if it complies with a condition/rule of play, and the refereeing

center configured to transmit the determination to one or more dart machines. Freitag (US 5,857,912) discloses a dart network system where remote dart machines/players can play against each other. Each dart machine has components capable of detecting via sensors, evaluating via central computer, and transmitting and displaying the results to other remote dart machines. Freitag excludes a camera for capturing conduct of play on a dart machine and transmitting the data to a refereeing center. Also, Freitag excludes a refereeing center for receiving the data and determining if it complies with a condition/rule of play, and the refereeing center configured to transmit the determination to one or more dart machines.

In regards to Claim 2, a remote refereeing system and method is disclosed comprising one or more dart machines linked via a network. Each dart machine comprises play components and means to capture data on performance of the players and capture images. The data captured is transmitted through the network. The remote refereeing system further comprising at least one refereeing center to receive the data, evaluate the data, and enable refereeing of the data. The remote refereeing system implements the method comprising capturing if the player complies with certain conditions of play, result of a portion of play and an image of the area of play, and of the player. The result and the image are transmitted to one or more refereeing centers to be evaluated by a referee. Furthermore, enabling a decision by the referee as to whether the portion of play has been performed without infringing a rule of play and transmitting/displaying the decision via the network to corresponding dart machines involved in the competition. The closest prior art of record does not teach or fairly

suggest the claimed system/method in combination. Cleaver (GB 2, 185, 896), Salva (US 2003/0134700), and Freitag (US 5,857,912), which structures have been noted above, exclude the method for implementing the refereeing center described above.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Beall et al (US 4,824,121) discloses an electronic dart game.

Bozkaya (EP 697579 A1) discloses an dart machine with instant camera to take a picture of player when scoring a bulls-eye.

Booker (DE 195 39 837 A1) teaches a electronic dart system where camera snap shot dart images for evaluating scoring at a remote central center.

Miguel et al (US 5,971,397) teaches an automated league and tournament of electronic dart games.

Houriet (US 6,076,021) teaches a dart system with handicapping.

Honekman (US 4,567,461) teaches score keeping referees for dart systems.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tramar Harper whose telephone number is (571) 272-6177. The examiner can normally be reached on 7:30am - 5:00pm.

Application/Control Number:
10/609,394
Art Unit: 3714

Page 7

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Pezzuto can be reached on (571) 272-6996. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

John Hotaling
Primary Patent Examiner
Art Unit 3714

1/17/08

TH